



Order Filed on May 3, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Jones & Jones
45 Essex Street
Hackensack, New Jersey 07601
(201) 487-3600
Attorneys for Spencer Savings
Bank, SLA

/s/VINCENT J. MASSA III, ESQ.
Vincent J. Massa III
Identification No. 1085

In Re:

Marianne McElroy and Robert M.
McElroy,

Debtor

CASE NO. 19-22958 CMG
CHAPTER 13
Hearing Date: 02/05/20
Judge: Hon. Christine M.
Gravelle, USBJ

**CONSENT ORDER VACATING APRIL 27, 2021 ORDER VACATING
THE AUTOMATIC STAY AND RESOLVING MOTION FOR
RELIEF FROM THE STAY AS TO REAL PROPERTY**

The relief set forth on the following pages numbered two (2) and three (3) is hereby **ORDERED**.

DATED: May 3, 2021



Honorable Christine M. Gravelle
United States Bankruptcy Judge

(Page 2)

Debtor: Marianne McElroy and Robert M. McElroy
Case No.: 19-22958 CMG - Chapter 13
Caption of Order: **CONSENT ORDER VACATING APRIL 27, 2021 ORDER VACATING
THE AUTOMATIC STAY AND RESOLVING MOTION FOR RELIEF FROM
STAY AS TO REAL PROPERTY**

AND NOW, this day of , 2021, the Court finds that this matter being opened to the Court upon the motion of Jones & Jones (Vincent J. Massa III, Esq., appearing), attorneys for the secured party, Spencer Savings Bank, SLA ("Spencer"), with the consent of Norgaard, O'Boyle & Hannon (John O'Boyle, Esq., appearing), attorneys for the Debtors, Marianne McElroy and Robert M. McElroy, under Bankruptcy Code section 362 for relief from the automatic stay as to certain real property commonly known as 75 Baywood Boulevard, Brick, NJ 08723 (the "Property"), and for cause shown,

ORDERED AS FOLLOWS:

1. The parties agree that this Court's Order Vacating the Automatic Stay dated April 27, 2021 (ECF No. 67) was entered in error and in contravention of the agreement set forth herein. Such order is vacated in its entirety.

2. The mortgage payment due April 1, 2021, which remains unpaid, shall be paid on or before April 30, 2021 to Spencer. In default thereof, Spencer may apply immediately pursuant to paragraph 4 hereof for an Order Vacating Stay.

3. All subsequent monthly post-petition payments shall be addressed as follows:

Spencer Savings Bank, SLA
611 River Drive
River Drive Centre 3
Elmwood Park, NJ 07407
Attn: Michael Fatovic, A.V.P.

4. In the event Debtor shall fail to pay within thirty (30) days of when due any future mortgage payment due Spencer, or fails to pay within thirty (30) days of when due thirty (30) days of when due any future payment provided for in paragraph 2 hereinabove, Spencer shall be entitled, seven (7) days after the filing and service to Debtor, Debtor's counsel and the Trustee of a Certification of Default, to an Order Vacating Stay as to Real Property.

5. Debtor shall pay to Spencer, through its plan, the sum of \$500.00 for legal fees and costs of this application.

6. That a copy of this Order be mailed to counsel for the Debtor and to the Trustee within days of the date hereof.

We hereby consent to the form and substance of this Order:

DATED: April 27, 2021

JONES & JONES
Attorneys of Secured Creditor
/s/ VINCENT J. MASSA III, ESQ.
VINCENT J. MASSA III, ESQ.

DATED: April 27, 2021

Norgaard, O'Boyle & Hannon
Attorneys of Debtor
/s/ JOHN O'BOYLE, ESQ.
JOHN O'BOYLE, ESQ.

In re:
Marianne McElroy
Robert M. McElroy
Debtors

Case No. 19-22958-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: May 03, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 05, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Marianne McElroy, Robert M. McElroy, 75 Baywood Boulevard, Brick, NJ 08723-6961

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 05, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 3, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
John O'Boyle	on behalf of Joint Debtor Robert M. McElroy joboyle@norgaardfirm.com sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com
John O'Boyle	on behalf of Debtor Marianne McElroy joboyle@norgaardfirm.com sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com
Rebecca Ann Solarz	on behalf of Creditor MidFirst Bank rsolarz@kmlawgroup.com

District/off: 0312-3

User: admin

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Date Rcvd: May 03, 2021

Form ID: pdf903

Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

Vincent J. Massa, III

on behalf of Creditor Spencer Savings Bank vmassa@jonesandjonesesq.com

TOTAL: 7